



THE CITY OF WINTER GARDEN

PLANNING, ZONING AND DEVELOPMENT
270 W. PLANT STREET
WINTER GARDEN, FL 34787
TEL. (407) 656-4111 • FAX (407) 654-1258
www.cwgd.com

APPLICATION FOR FINAL PLAT

After Preliminary Plat Approval, Construction Plan Approval, and the actual construction of the essential infrastructure of the subdivision, the proposed plat must receive Final Plat Approval.

OWNER OF RECORD

NAME: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ PHONE: _____ EXT _____

FAX: _____ E-MAIL: _____

APPLICANT / CONTACT PERSON (IF DIFFERENT):

NAME: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ PHONE: _____ EXT _____

FAX: _____ E-MAIL: _____

ATTORNEY FOR PLAT

NAME: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ PHONE: _____ EXT _____

FAX: _____ E-MAIL: _____

SURVEYOR FOR PLAT

NAME: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ PHONE: _____ EXT _____

FAX: _____ E-MAIL: _____

Only the primary contact as indicated by the checked box will receive all correspondence from the City.

Do not send your revisions and documents incrementally, as this will delay Staff's review time and/or incremental submittals will be refused. Final plat submittals must be coordinated between your staff, lawyer, and surveyor. If any documents were given to our attorney by your attorney, we must receive a copy, as other Staff will need to review these documents.

1. Property ID Number: _____
2. Address of site: _____
3. Number of Acres: _____
4. Is a full legal description attached? Yes No
5. Is a copy of a survey attached? Yes No
6. The undersigned hereby acknowledges that the I (we) have reviewed Chapter 88 of the City of Winter Garden Code of Ordinances and agree to provide a Review Deposit and a Flat Fee for use in accordance with Chapter 88. In addition, the undersigned hereby agrees to pay for any and all direct costs, expenses and fees incurred by the City of Winter Garden relating to the review, processing, inspection or regulation of the enclosed application, including but not limited to, legal, engineering and surveying fees, as well as costs associated with the advertising of the request, including postage for notices to adjacent property owners, and for newspaper advertising as required by the Florida Statutes and the City Code. I also understand that if this project property is sold, I or my company will be responsible to ensure that the new owner writes a similar letter accepting all the responsibility to pay for any and all reasonable legal, engineering, or surveying fees incurred by the City of Winter Garden in the process of reviewing this project from the date the property is sold.

The undersigned, being the owner (or duly authorized agent of the owner) of the property which is the subject of the enclosed application, further acknowledges that the failure to comply with Chapter 88 and pay amounts due may result in a lien being placed on the property related to the application and foreclosure thereof. And further acknowledges that the undersigned shall provide prompt written notice to the City in the event of a change in ownership of all or a portion of a lot, tract or parcel of real property related to the enclosed application.

An Applicant shall provide prompt written notice to the City manager in the event of a change in ownership of all or a portion of a lot, tract, or parcel of real property with the respect to which an Application, or project is pending before the City.

I understand the above statements. _____ (Please initial.)

All invoices for the costs associated with this project should be sent to:

PROJECT NAME OR ADDRESS: _____

NAME: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: _____ FAX: _____

I/we hereby certify that I/we are the owner(s) of the real property which is the subject of this Petition and that the foregoing information on this Petition is true and complete.

Signature of the Applicant: _____

Print Name: _____

Date: _____

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____,
20__, by _____, as _____ of
_____, who is personally known to me or who produced
_____ as identification.

NOTARY PUBLIC

Print Name: _____

My Commission Expires: _____

NOTE: If the Petitioner wishes to be represented by an agent, a limited power of attorney must be properly executed and provided to the City along with this application.

Submittal Requirements:

Initial Submittal—submittals without the following will be refused or not reviewed until all of the following have been received

Fee – \$250 plus \$10 per residential lot; and \$100 per non-residential lot. Please note that actual City Engineer, City Surveyor and City Attorney review costs and recording fees will be charged to the responsible party identified.

Number of Residential Units: _____ Number of Commercial / Industrial Units: _____

\$2,000 Review Deposit in accordance with Chapter 88

Proof of ownership (i.e. a copy of the deed)

Limited Power of Attorney (if signed by agent of the property owner)

6 copies of the plat **folded and not rolled**. (See last page for the requirements of the plat)

6 copies of a signed and sealed boundary survey (with the verbatim legal description as on the proposed plat)

5 copies and 1 original of each of the following:

A certificate of title or recent title opinion (with the verbatim legal description as on the proposed plat) that shows all mortgages that are not satisfied or released of record nor otherwise terminated by law and which must reflect all existing easements on the property proposed to be platted.

Copies of Homeowners' / Property Owner's Association documents and any other deed restrictions or declarations of covenants

Joinder and Consent to Dedication

Orange County Statement of Lien Settlement. Contact Orange County Property Appraiser to obtain.

A letter from the 911 Department approving of the street names. The physical addresses must be assigned by Lorena Blankenship (656-4111, Ext. 2273). Do not request addresses until project is scheduled for the Planning and Zoning Board.

Proof of identification and establishment of a permanent horizontal and vertical control

Engineer's certification of cost estimate of improvements

Engineer's certification of cost estimate of total project improvements or executed contracts

Engineer's certification of easements

Affidavit on Absence of Reserve Strips from Surveyor

Affidavit on Absence of Reserve Strips from Owner

Subsequent Submittals—the following are required during the review process, but not necessary for the initial review

Payment for all required street signs (both stop signs and street name signs).

Payment for first year's street light operation. Provide Progress Energy receipt.

Street Light Upgrade Agreement, if necessary. Contact Public Works for form.

Release of liens from all contractors, subcontractors, material suppliers, etc. associated with this project.

Original Mylar

Original Homeowners' / Property Owner's Association documents and any other deed restrictions or declarations of covenants (due before City Commission)

Proof that the infrastructure is completed and complies with all City specifications and regulations. A letter of completion is required from the City Engineer prior to final approval by the City Commission. Alternatively, a Performance Bond or Letter of Credit as approved by the City Engineer may be provided.

A one-year Maintenance Bond for 10% of cost of the dedicated improvements is required before the City Engineer issues a Certificate of Completion.

Plat Requirements:

- At a scale of 1/100 or larger
- Primary control points, approved by the city engineer, or descriptions and ties to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
- Name and right-of-way width of each street or other right-of-way.
- Location, dimensions and purpose of any easements.
- Number to identify each lot or site.
- Purpose for which sites, other than residential lots, are dedicated or reserved.
- Providing a 20 foot access (a tract dedicated to the HOA) to all common area from a right of way.
- Location and description of monuments.
- Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
- Language (or very similar language) on the face of the plat:
 - "Each of the owners of lots as shown on this {*Name of the Subdivision*} is a member of the {*Subdivision Name*} Homeowners' Association. The Homeowners' Association is required to maintain Tracts X (*the retention pond and private streets*). The members of the Homeowners' Association are ultimately responsible for payment of the cost of maintain of Tract X (*the retention pond and any private streets*) and all lots are subject to assessments, liens and foreclosures for non-payment."
 - "The owner hereby conveys to the City of Winter Garden the right to maintain of have maintained tracts {*list the stormwater retention areas and any private streets*} in the event said tract(s) are not maintained or such become a nuisance. The cost of said maintenance by the City of Winter Garden shall be borne and paid by the Homeowners' Association of {*list the name of the subdivision*}. Said costs shall be a lien on all lots in the subdivision and be enforceable by foreclosure proceedings and other remedies. This right and the City's exercise of said right shall not impose any obligation on the City to maintain said easements or improvements."

- The following (or similar) language should be incorporated into all Dedications submitted as part of the plat review process:
 - The City of Winter Garden shall hereby have the right, but not the obligation to access, maintain, repair, replace and/or otherwise for or cause to be cared for any and all private easements, common property and/or rights-of- ways depicted on the plat as recorded in Plat Book _____ Page _____, Public Records of Orange County, Florida. In the event said private easements, common areas, improvements and/or rights-of-ways are not maintained or such become a nuisance or in the event the City of Winter Garden exercises the aforementioned right, the [insert the name of the Homeowners Association] and each of the lot owners in the [insert name of subdivision and phase] are hereby ultimately responsible for payment of the cost of maintenance, repair, replacement and care provided by the City of Winter Garden or its agents plus administrative costs and attorney's fees incurred by or for the City of Winter Garden. Said costs shall be a lien or assessment on all of the lots in the subdivision and on all [insert name of homeowners association] property and may be enforced by foreclosure proceedings and other remedies. This right and the City's exercise of said right shall not impose any obligation on the City to maintain said private easements, common areas, rights-of-way or improvements.
 - No portion of this Dedication shall endorse, allow or sanction the violation of any Code or Ordinance of the City of Winter Garden or any statute or law.

Important Notes:

- All documents are subject to City review.
- Additional documents may be required after the initial submittal.
- Sample forms may be requested in electronic form as a guide. Contact the Planning Department or check the City's website for downloadable forms.
- The City requires the identification of any maintenance responsibilities specific to particular lots/tracts in the subdivision in the Declaration of Covenants itself.
- The City requires all lien holders to execute a Joinder and Consent to the Declaration of Covenants on all lots in the subdivision. In this way, the Declaration of Covenants would also apply to "bank-owned" foreclosed property.
- No Declaration of Covenants and Restrictions should allow the Homeowners Association or lot owners to in any way regulate parking or traffic matters in the public and private rights-of-ways.
- The plat must be in compliance with F.S. 177 and the Subdivision Regulations of the City of Winter Garden Code of Ordinances.
- The applicant is responsible for the payment of all platting fees.
- A total of 24 additional copies will be required for P&Z and Commission approval after staff review.

Procedure:

The City Staff and the City Attorney will review the proposed final plat and all associated improvements for conformance with the City Code and the Florida Statutes. The Planning and Zoning Board will review the proposed final plat and make a recommendation. The City Commission shall approve, deny, or approve with conditions the proposed final plat.

Code of Ordinances

The City of Winter Garden's Code of Ordinance can be found on the Internet at www.municode.com. Access to the Internet can be obtained at any branch of the Orange County Library.

Final Plat Sufficiency Checklist				
		YES	NO	N/A
1	Application Fee - \$250 + \$10 per residential lot and \$100 per non-residential lot.			
2	Review Deposit - \$2,000 (unless already paid).			
3	Proof of ownership (i.e. copy of the deed).			
4	Limited power of attorney (if represented by agent).			
5	7 copies of the final plat.			
6	7 copies of the following required documents.			
	Required Documents			
7	Certificate of title or recent title opinion.			
8	Signed & sealed boundary survey.			
9	HOA documents and any other deed restrictions or declarations.			
10	Joinder & Consent to Dedication.			
11	Orange County Statement of Lien Settlement.			
12	911 Department Letter approving street names.			
13	PRM Letter.			
14	Engineer's Certification of Cost Estimate of Improvements.			
15	Engineer's Certification of Cost Estimate of total project improvements or executed contracts.			
16	Engineer's Certification of Easements.			
17	Affidavit on Absence of Reserve Strips from Surveyor.			
18	Affidavit on Absence of Reserve Strips from Owner.			
19	Proof of Contractor's Insurance.			
20	Maintenance Bond.			
21	Performance Bond or Certificate of Completion from City Engineer.			
22	Release of Liens from all contractors, subcontractors, etc.			
	Cover Sheet			
23	Title under which proposed subdivision is to be recorded .			
24	Owner Dedication.			
25	Qualification and statement of Surveyor or Mapper.			
26	Certificate of approval by municipality.			
27	Certificate of County Comptroller.			
28	Certificate of review by City Surveyor.			
29	Notes described in section 110-152 (1) (r) of City Code.			
30	Surveyors notes.			
31	Legal description .			
32	Key plan (see Section 110-124 (11) of City Code).			
33	North arrow.			
34	Location map (see Section 110-122 of City Code).			
	General Requirements			
35	Control points.			
36	Tract boundary lines, right of way lines of streets, easements, etc. (see section 110-152 (1) (b)).			
37	Location and description of monuments.			
38	Easements. Location, width, and purpose of existing and proposed easements and rights-of-way. See section 110-152 (1) (c) & (d).			
39	Number to identify each lot or site.			
40	Purpose for which sites, other than residential lots, are dedicated or reserved.			
41	Contiguous properties identified per section 110-152 (1) (j).			
42	Scale and north arrow as per section 110-152 (1) (n).			
43	Name & R/W width of each street.			
44	20' access (dedicated to the HOA) to all common areas.			

Planning Department Approval		
Legal Department Approval		
Engineering Department Approval		